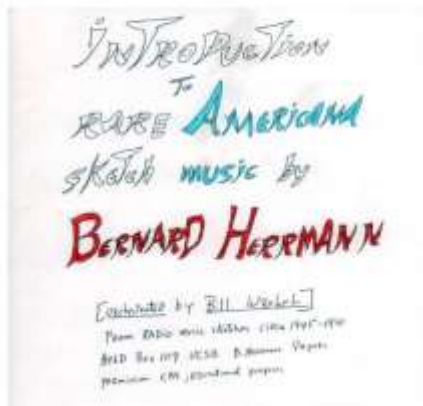


Film Score Blogs [Blog # 52] Sunday, January 10, 2016 [8:45 am]

Early Saturday evening I finished my three-part Word paper on the Box 109 Herrmann materials. The combined pages are 480 with a ton of graphics. The Word papers had to be converted to pdf files in order for my webmistress to put online. Usually that is a problem because most "free" sites have a maximum of 100 MB. Each of my papers in three parts is much larger than that because of the multitude of graphics. So eventually I found a free site that would do the job: smallpdf.com. It took awhile to convert initially but it was worth it.

Bernard Herrmann Box 109 UCSB Unpublished Sketches
ORCHESTRATED

[PART III of III]



Next in the many series of sketches penned by Bernard Herrmann located in Box 109 at UCSB is "Mother's Day" (sketch series # 46). This is one of the very few specific sketch series that can be identified as actual radio shows. These are the sketches for the May 10, 1951 *Hallmark Playhouse* episode, "A Man's Mother." Below I will give comparisons of Herrmann's sketches against his actual orchestrations.

The *Hallmark Playhouse* written scores are available in Box 46 of the Lyn Murray Papers held at University of Wyoming's American Heritage Center (AHC).

<http://lmscw.uwm.edu/docviewer.php?docId=wym-ahc/2428.xml>

Free audio downloads of the *Hallmark Playhouse* are available at the following Internet Archive location:
<http://www.archive.org/details/HallmarkPlayhouse>

Now: Around mid-July to mid-September roughly I spent my near-total free time to do my "really big shoe"....eh, not being Ed Sullivan, I meant really big project: to orchestrate the Box 109 Herrmann sketches. I managed to do all of them in two months, and to also scan each of them. The images of course are the graphics or images used for my three-parter paper. Frequently during the process I posted some of my daily results on Facebook. Many of the comments from Facebook at the times I copied & pasted for my paper.

Once the sketches project was done, I eventually started another big project: digitizing my many dozens of Zip Dobyns cassette tapes I recorded since 1978 thru 2003 (RIP then). I used my ION Tape Express small device to convert the hard cassette tapes to digital files on my computer. I also

created a YouTube Playlist of the 108 audio-videos. I may put the url in the "Other" backpage of my original Film Score Rundowns site. Not sure yet. I wanted to have the Playlist made available on her official site--dodona.org--but haven't heard from her surviving children yet if they want that or not. The Playlist exists but unsearchable, on the "Unlisted" video selection.

The screenshot shows a YouTube channel page for 'FilmScoreRundowns'. The left sidebar contains navigation links: Home, My Channel, Trending, Subscriptions, History, Watch Later, Playlists, Favorites, Liked videos, Subscriptions, Add channels, Popular on YouTube, Music, Sports, Gaming, Browse channels, Manage subscriptions, and YouTube Red. The main content area features a video player with a landscape image, the channel name 'FilmScoreRundowns', and a playlist titled 'Zip Dobyns (astrology)' with 109 videos and 35 views. Below the playlist title, there are buttons for 'Play all', 'Share', and 'Playlist settings'. A list of videos is displayed, including 'Zip on Overweight & Anorexia (Letter 4 issues)', 'Zip on predictions', 'Zip on Letter Eight/Pluto/Scorpio issues (1983 intensive)', 'Zip on projection, Princess Diana', and 'Zip on a psychic reader'.



Then I returned to film music-related tape cassettes and started a digitization project of them. I can still do more of this work over time.

I also spend a little time composing now & then in-between projects. Here are some examples:

[EL Nino]

Music by Bill Werbel
Sat Oct 17, 2015

Adagio Scene I
1:560

I

6-Clas I
(A)

II

(b) I
soprano
ff sample

(b) II
soprano
ff sample

(4) V
soprano

(4) VC
soprano

(4) CB
soprano

1, 3
Horns
2, 4

3 Trps
al

3 Pos

Tuba

I

II

V

VC

CB

15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

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This one above is "El Nino." By the way, the Godzilla El Nino started here in Southern California last Tuesday. Tuesday had steady rain but nothing spectacular, but on Wednesday night-Thursday very early morning there was a lot of thunder & lightning (or should it really be phrase-ordered as "lightning & thunder" ? :) and pea-sized hail. It was nice, however, Thursday afternoon thru now (spectacularly sunny yet cold on Friday). It was supposed to be raining mildly by Saturday at 9 PM but so far, nothing in our location. Next rain event (mild) is Wednesday-Thursday. Then eventually El Nino will come in great force, probably late January thru February especially! El Nino is coming! Run & scream! :)



(cont) [EL Nino] -2- Bill W. School

Handwritten musical score for a piece titled "EL Nino". The score is written on a system of staves for various instruments and voices. The instruments listed on the left are: Bass Cbs, 3 Fags, C Fag, 1, 3 Hrs, 2, 4 Hrs, Vibe, Harp, I, II, V, VC, and CB. The score includes a key signature of one flat (Bb) and a time signature of 3/4. The music is written in a style that suggests a Latin or Caribbean influence, with many sixteenth and thirty-second notes. The score is marked with a "B" in a box at the top right and a "(cont)" at the bottom right. The bottom of the page features a series of circled numbers (20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43) and the text "Gtr 10/17/15 8:00pm".

Next is "Thru the Lives of Bernard Herrmann"
adaptation music I composed utilizing ONLY G half-dim 7ths and
F half-dim 7ths!

"Thru The Lives of Herrmann" pg ①

music by Bill White L.
Alte Harmoniesur Adaption

Handwritten musical score for "Thru The Lives of Herrmann" (pg ①). The score is written on 14 staves, each with a 12/8 time signature. The instruments listed on the left are:

- Bass Clarinet (B.Clar) (3/4)
- C.B. Clarinet (C.B. Clar) (1/4)
- Fagot (Fagot) (3/4)
- C. Fagot (C. Fagot)
- Horn (Horn) (3/4)
- Tuba (Tuba) (1/4)
- Drum (Drum)
- Hang (Hang)
- C.B. (C.B.) (3/4)

The score includes various musical notations such as notes, rests, and dynamic markings. At the bottom, there are numbered circles (1-14) and a section labeled "Curtis NO. 31" with the text "Happ - ma -" and "Happ - ma -".

Lento (cont) "Thru The Lives of Heermann" *me (2)*

12 *Brass* *(6/8)*

12 *C. B. Clar* *(6/8)*

12 *Fog* *(3/4)*

12 *C. Fog*

12 *Horn* *(3/4)*

12 *T. B.* *(3/4)*

12 *Pos* *(3/4)*

12 *T. B.*

12 *Hang*

12 *CB* *(3/4)*

15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

G#7 F#7 G#7 F#7

(cont) Thru The Lives of Herrmann
for 3 music by Bill Wibel

Clarinet 12/34
Bassoon 12/34
Horn 12/34
Trumpet 12/34
Trombone 12/34
Tuba 12/34
Euphonium 12/34
C.B. 12/34

31 32 33 34 35 36 37 38 39 40 41 42 43 44 45

G#7 F#7 G#7 F#7 G#7 F#7 G#7 F#7 G#7 F#7 G#7 F#7 G#7 F#7 G#7

completed
Aug 8, 2015
12:30 AM
Bill Wibel

Here is something I called "Tension Buildup":



Of great and rare archival importance is this Brandeis University free site making available Victor Young conductor scores:

[http://archive.org/details/Brandeis_University?and&and\[\]=Victor%20Young](http://archive.org/details/Brandeis_University?and&and[]=Victor%20Young)



Brandeis University

Brandeis University Libraries

Books from Brandeis University

About

Collection

SORT BY VIEWS · TITLE · DATE PUBLISHED · CREATOR



Johnny Guitar

by Young, Victor 1900-1956;
Young, Victor 1900-1956, director



The quiet man

by Young, Victor 1900-1956;
Young, Victor 1900-1956, director



Gulliver's travels

by Young, Victor 1900-1956; Ten



The accused

by Young, Victor 1900-1956;
Shuler, Leo 1909-1979; Vero



Shane

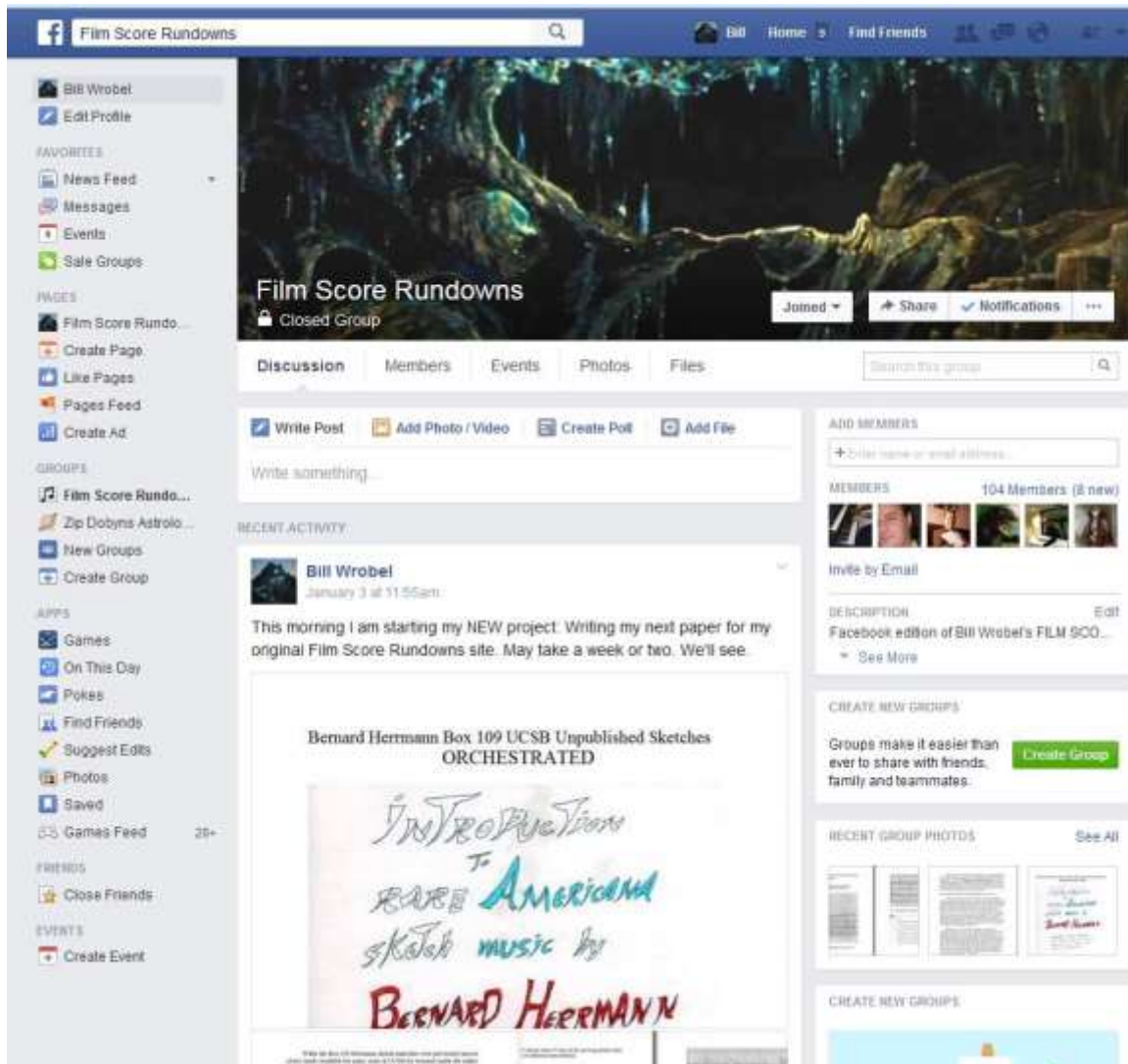
by Young, Victor 1900-1956;
Shuler, Leo 1909-1979; Culne



Now: In certain terms, my real or up-to-date film score blog is really my Face book site, NOT *here* on this old-fashioned original blog site that I usually only update twice a year:

<https://www.facebook.com/groups/1653818974852071/>

It is there I often present something on a daily or near-daily basis--unless I am busy with a project such as I have been the last six days with my three-parter paper meant for the new update of my original Film Score Rundowns site.



I reviewed the recently released Simians & Serialism book on Facebook back in August. It is about Jerry Goldsmith's *Planet of the Apes* score:



Bill Wrobel ▸ Simians & Serialism

August 28, 2015 · 🌐

On Saturday, August 15 (when I received the book) I gave a mini-review on the Jerry Goldsmith ONline Facebook site, on my Facebook site, and probably one other. I'll repost it here.

"Just received my copy this morning (Saturday, August 15). Reading thru it now (up to at least page 70). As a pure exercise of curiosity regarding what the author called the "Goldsmith Rosetta Stone" or Planet of the Apes Serial Matrix (provided on page 49), I decided to make a graphic of the intervals of those respective dyads starting on the prime tone row. There wasn't an analysis of the interval pattern as such in the book (so far). If you see the graphic below, the interval most used in the matrix is the minor 2nd (e.g. C up to Db). Of the 42 intervals featured, 7 of them are m2 or getting to a fifth of the bunch. The next highest was the major 7 (M7) or 5 out of the 42. Then at 4 each for most frequency is the minor 3rd (m3), perfect 4th (P4), P5, and major 7th (M7). So I would presume as a starting hypothesis that Goldsmith would use quite a lot of dissonant minor 2nd patterns in the total score. Unfortunately, I never studied it (altho I studied other scores such as Night Crossing at Disney). The author mentioned on page 70 that there is indeed an "importance of dyads"—not traditional or oft-used triads, and by extension sevenths, etc. But so far in my reading he hasn't discussed what KIND of dyads are most used (such as the m2 interval dyads). Anyway, I like this book so far. It gives a nice presentation of the history of the movie, it's genesis, etc. I was not familiar with its history so it's a good read. Maybe I'll give more of a review later."



Here is an interesting film site on the internet. I can access good old films like SO BIG and SUGARFOOT and ICE PALACE there (all scored by Max Steiner):

<http://www.rarefilmm.com/>



<http://www.andrewdavidperkins.com/thebirds-audio.html>

This composer just wrote a score for Hitchcock's THE BIRDS. You can listen to the midi performances in the link. As readers of my blogs know, I composed a Herrmannesque score for THE BIRDS back in 2005. Perkins' music for the movie is fine but it is really not all that Herrmannesque (maybe just a cue or two at spots) But of course he never said it would be "Herrmannesque" as I did.... And it's a bit too long, a bit too many cues. For instance, considering the nature of the birds' sound effects dominating the opening credits of the movie, I would never try to push Prelude or Main Title music in there with the mix! :)...Anyway, besides myself, I believe he's the second composer out there who wrote a score for the movie disseminated on the Internet (but I now forgot the name & Internet url of the other person and site). Glad these others also decided to fill the void, so to speak. Herrmann was spot wrong not to write a score for the picture.

 **Bill Wrobel**
December 31, 2015 at 4:26pm

<http://www.andrewdavidperkins.com/thebirds-audio.html>
<http://www.andrewdavidperkins.com/thebirds-audio.html>

Just found this on a random Google search of the last month re: Bernard Herrmann.....



THEBIRDS audio

Each of the cues are organized as SCENE-MUSIC-CUE chronologically, so 1M1, 1M2, etc. Some of the audio playback is imperfect due to the limitation of MIDI, syncing with picture, etc., but it will...

ANDREWDAVIDPERKINS.COM

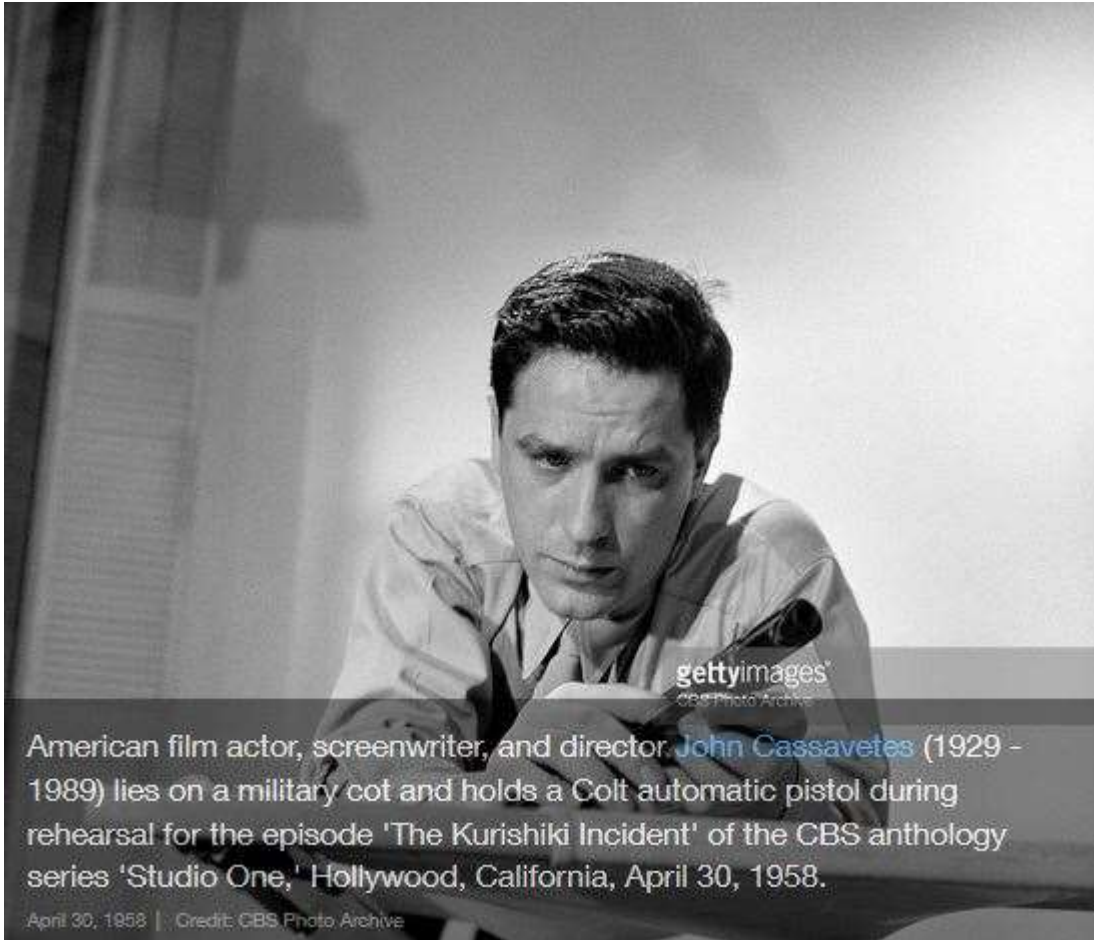
Speaking of Herrmann, a month ago on the Decades channel on cable tv (Channel 201 for me locally in southern California), they aired a May 12, 1958 episode of STUDIO ONE titled "The Kurishiki Incident" starring John Cassavetes. . Decades aired it three times on Wednesday. I watched (and recorded) it at 2:30 pm (5:30 Eastern time). Herrmann's intro music is heard in the opening credits, music written early December 1957. Of course a friend of mine synth-performed the Studio One score (available on my YouTube site) but this show has the actual recorded music--quite a rare event because most of the Studio One shows of this last season

are lost. The original score for this episode is by Tak Shindo. However, the introductory material and a few commercial tags are by Herrmann. I was hoping the end title music would be the Herrmann one but unfortunately Shindo had his own original cue for that.

Here is the YouTube link if you want to hear and read the music:

<https://www.youtube.com/watch?v=CWz1UMTP4fo>





American film actor, screenwriter, and director [John Cassavetes](#) (1929 - 1989) lies on a military cot and holds a Colt automatic pistol during rehearsal for the episode 'The Kurishiki Incident' of the CBS anthology series 'Studio One,' Hollywood, California, April 30, 1958.

April 30, 1958 | Credit: CBS Photo Archive



WESTINGHOUSE STUDIO ONE: KURISHIKI INCIDENT (1958)

Actor, director and Screenwriter John Cassavetes was born on this day in 1929. Throughout his career he earned three Oscar nominations in acting, writing and directing categories. Today we feature one of Cassavetes' early acting jobs with an episode of 'Westinghouse Studio One.' In "Kurishiki Incident," a GI kills a boy he thought was stealing government property. Despite being acquitted, the soldier seeks to make amends with the boy's family.

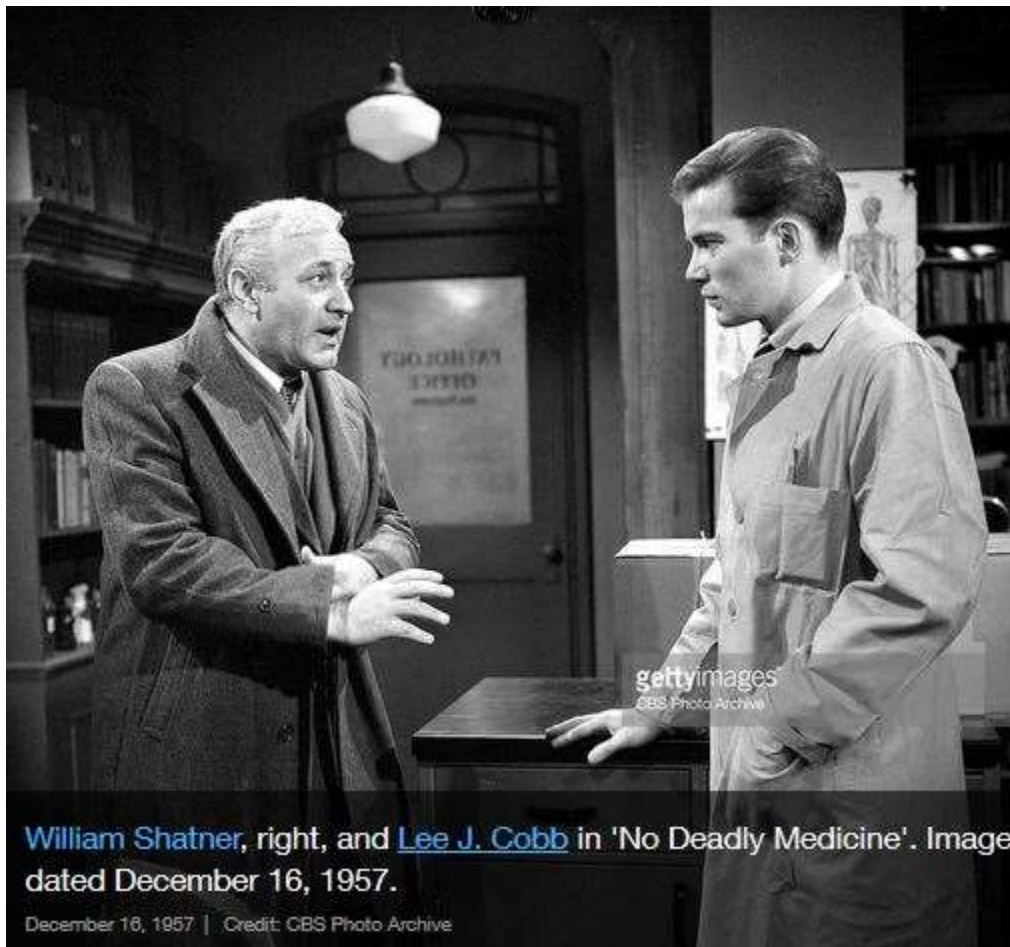
11:30AM | 5:30PM | 11:30PM | 5:30AM

EST

429	10-11	02/Dec/57	Escape Route
430	10-12	09/Dec/57	No Deadly Medicine (Part 1)
431	10-13	16/Dec/57	No Deadly Medicine (Part 2)
432	10-14	06/Jan/58	The Brotherhood of the Bell
433	10-15	13/Jan/58	The Other Place
434	10-16	20/Jan/58	Trial by Slander
435	10-17	27/Jan/58	Balance of Terror
436	10-18	03/Feb/58	The Laughing Willow
437	10-19	10/Feb/58	Presence of the Enemy
438	10-20	17/Feb/58	Tide of Corruption
439	10-21	24/Feb/58	The Lonely Stage
440	10-22	03/Mar/58	The Fair-Haired Boy
441	10-23	10/Mar/58	A Dead Ringer
442	10-24	17/Mar/58	Tongues of Angels
443	10-25	24/Mar/58	The Award Winner
444	10-26	31/Mar/58	The Shadow of a Genius
445	10-27	14/Apr/58	Mrs. 'Arris Goes to Paris
446	10-28	21/Apr/58	The Desperate Age
447	10-29	28/Apr/58	The Edge of Truth
448	10-30	05/May/58	The McTaggart Succession
449	10-31	12/May/58	Kurishiki Incident
450	10-32	19/May/58	A Funny-Looking Kid
451	10-33	26/May/58	The Enemy Within
452	10-34	02/Jun/58	Ticket to Tahiti
453	10-35	09/Jun/58	The Strong Man
454	10-36	16/Jun/58	The Left-Handed Welcome
455	10-37	23/Jun/58	The Man Who Asked for a Funeral
456	10-38	30/Jun/58	The Undiscovered
457	10-39	14/Jul/58	Man Under Glass
458	10-40	28/Jul/58	A Delicate Affair
459	10-41	04/Aug/58	The Last Summer
460	10-42	11/Aug/58	Tag-Along
461	10-43	18/Aug/58	Birthday Present
462	10-44	25/Aug/58	Bellingham
463	10-45	01/Sep/58	The Lady Died at Midnight
464	10-46	15/Sep/58	No Place to Run
465	10-47	29/Sep/58	Image of Fear

Herrmann's music for STUDIO ONE was mid-season in its final season ('57'58). He wrote the score December 5 thru the 8th. It is conceivable that the very next two episodes of STUDIO ONE used that original score: "No Deadly Medicine" Part I was Dec 9, 1957, and Part II was Dec 16. Unfortunately it appears those episodes did not survive. The next episode is "Brotherhood of the Bell" and that was tracked music (not an original score). It did include the Outer Space Suite music by Herrmann, however. The next episode was "The Other Place" but it was Goldsmith music. "The next one was "Trial by Slander" and that also was tracked.

"The next one was "Balance of terror" (a likely title for a Herrmann score! :) but I have no information on that Jan 27, 1958 episode. The next episode is "The Laughing Willow" and it has no Herrmann music. Etc. My hope is that some of these late season 10 episodes will surface besides "The Kurishiki Incident." My best bet is that "No Deadly Medicine" (the two-parter) is the very one that has the original Herrmann score. Hope it shows up!



Episode 12 - No Deadly Medicine (Part 1)

Release Date: 1957-12-08

A conflict develops between Dr. Joseph Pearson and his young assistant, who attempts to introduce new methods in their pathology lab.



Episode 13 - No Deadly Medicine (Part 2)

Release Date: 1957-12-15

Dr. Joseph Pearson and his young assistant clash over the circumstances of a premature birth and a cancer diagnosis.

Here is a 125 page thesis found on the open Internet via Google search that may interest some of my readers of this blog:

http://arizona.openrepository.com/arizona/bitstream/10150/291954/1/azu_td_1405040_sip1_m.pdf



Musical recycling: A study and comparison of Ralph Vaughn Williams' film score for "Scott of the Antarctic" with "Sinfonia Antartica" (Symphony No 7)

Item type	text; Thesis-Reproduction (electronic)
Authors	Heine, Erik James
Publisher	The University of Arizona.

There are other dissertations freely available on the Internet from the University of Arizona such as these:

An Austrian in Hollywood: Leitmotifs, thematic transformation and key relationships in Max Steiner's 1942 film score, "Now, Voyager"

Item type	text; Dissertation-Reproduction (electronic)
Authors	Leinberger, Charles Francis, 1955-
Publisher	The University of Arizona.

A Comparison Between the Two Works for Flute, Viola, and Harp by Toru Takemitsu and Claude Debussy: Influences of Debussy on Takemitsu and Similarities Between the Two Composers

Item type	text; Electronic Dissertation
Authors	Okajima, Shuri
Publisher	The University of Arizona.

Here is interesting legal information regarding Malcolm Arnold's 103 scores that was left with Mr. Day, his health & affairs carer. The 2012 judgment for Mr. Day was overturned in 2013 so that the music materials were transferred to the surviving relatives instead of Mr. Day.

<http://www.bailii.org/cgi-bin/markup.cgi?doc=%2Ffew%2Fcases%2FEWCA%2FCiv%2F2013%2F191.html&query=day%20and%20harris%20and%20arnold&method=boolean>

So what was written below in 2012 was overturned by appeal in 2013:

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Day v Royal College of Music

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Posted by : **Julian Smith** | Date posted : **10/10/2012**

Museums and galleries frequently receive chattels as gifts or on loan and can find themselves embroiled in disputes over title. The recent High Court case of *Day v Royal College of Music* [2012] EWHC 2041 (Ch) involved a detailed consideration of gifts of chattels, title by limitation, estoppel by representation and an old rule of equity. The rival title claimants were individuals and the Royal College was a neutral party. However, the court's decision is highly relevant to any museum accepting items as gifts or loans.

The dispute

The case involved a title dispute over 103 musical scores by the deceased 20th century composer Sir Malcolm Arnold, who composed nine symphonies and the scores for movies such as *Bridge on the River Kwai* and *Hobson's Choice*. The rival title claimants were Sir Malcolm's adult children, Katherine and Robert, and Sir Malcolm's former carer, Anthony Day. The manuscripts had been deposited at the Royal College for safekeeping since the 1980s. Katherine and Robert argued that they had various grounds upon which to claim that title to the manuscripts had passed to them, including:

1. that Sir Malcolm had made a gift of manuscripts to Robert and Katherine in 1976 when he sent two chests to Katherine and her husband containing some manuscripts as well as other items. At the same time, Sir Malcolm sent a postcard to Robert, stating: "all the books, pictures sculptures etc are for you and Katherine to share and keep, or sell if you like! Dad," and
2. that some of the manuscripts had passed to them as a gift from the Official Solicitor (on behalf of Sir Malcolm) in 1980 when Katherine agreed to take valuable possessions left in Sir Malcolm's flat.

On the other hand, Mr Day said that title had passed to him because the gifts to Katherine and Robert failed and he became the recipient, either:

1. through a 1988 record of gift document executed by Sir Malcolm, or
2. through Sir Malcolm's will, which purported to make a specific gift of the manuscript scores to Mr Day and left the residuary estate to Katherine and Robert.

Mr Day contended the first argument before trial. A donor is required to deliver physical possession of a chattel or execute a deed documenting transfer of possession. Mr Day never had physical possession of the manuscripts and the 1988 record of gift was not executed as a deed.

The decision

The decision

Katherine and Robert's Arguments

The judge found that gifts had not been made to Katherine and Robert in 1976 or 1980. It appears that considerable weight was given to whether Katherine and Robert believed at the time that a gift had been made. Mr Day argued that the Official Solicitor was under the impression that Katherine was "holding" the manuscripts and Katherine did not contradict this view in her correspondence at the time. Furthermore, the Court of Protection, acting on behalf of Sir Malcolm, paid for the manuscripts to be bound and insured, suggesting that they still belonged to him.

Mr Day's Arguments

The judge did not find that the manuscripts fell within the legacy to Mr Day referred to in Sir Malcolm's will. As Mr Day had already conceded that the record of gift in 1998 had not validly transferred title over the manuscripts to Mr Day, it would initially appear that the manuscripts should fall within the residuary estate of Sir Malcolm and therefore pass to his children.

However, applying an old rule of equity from the 19th century case of *Strong v Bird* (1874) LR 18 Eq. 11, the judge found that the manuscripts did pass to Mr Day on Sir Malcolm's death. *Strong v Bird* provides an exception to the equitable rule that "equity will not perfect an imperfect gift", where a donor intends to make a gift but does not use the correct formalities but then the donee becomes the donor's personal representative after the donor dies. Therefore, the judge found that when Mr Day became an executor under Sir Malcolm's will upon Sir Malcolm's death, the gift that was intended in the record of gift in 1998 was perfected and title to the manuscripts passed to Mr Day.

Comments

Katherine and Robert have been given permission to appeal on all points and the case is subject to an appeal. Luke Harris, counsel for Katherine and Robert, presented the case at Farrer & Co in July and made the following points about the High Court's decision: first, he feels that the judge was wrong to put such weight on Katherine and Robert's understanding of whether a gift had been made to them when the correct question should have been whether, objectively, Sir Malcolm and the Official Solicitor had intended to gift the manuscripts; and second, whether the record of gift of 1998 was sufficiently certain in its subject matter and whether it was an unconditional and present intention to make a gift.

Although the Royal College of Music was a neutral party in these proceedings, it is not hard to foresee circumstances in which museums and galleries could become embroiled in a dispute of this kind. While the legal points in *Day v Royal College of Music* remain in dispute pending the appeal, the case highlights the difficulties of establishing ownership of chattels. As items can often be of significant value and thus likely to attract title disputes, museums and galleries are best advised to obtain an indemnity on legal costs when they receive items on loan.

If you would like further information on this subject or have any comments, please contact Julian Smith (julian.smith@farrer.co.uk) or your usual contact at Farrer & Co on 020 3375 7000.

This publication is a general summary of the law. It should not replace legal advice tailored to your specific circumstances.

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Julian Smith Author Bio»

Again, this info immediately below in 2012 was overturned a year later:

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Your perfect job is closer than

Day v Royal College of Music: When is a gift not a gift?**Luke Harris**

✉ Luke Harris, Counsel for Katherine and Robert Arnold, 3 Stone Buildings, Lincoln's Inn.
Tel: +20 7242 4937; Email: lharris@3sb.law.co.uk

Abstract

On 7 March 2012, the High Court gave judgment in *Day v Royal College of Music* (HC11C00346). The case involved a title dispute in respect of 103 musical scores created by the celebrated 20th century composer, Sir Malcolm Arnold, and deposited with the Royal College of Music in the mid-1980s. The rival title claimants were, on the one hand, Sir Malcolm's adult children, and, on the other, Sir Malcolm's former carer, Mr Anthony Day. The Royal College of Music was neutral and agreed to be bound by the court's final order. In the end, the court upheld Mr Day's claim to the manuscripts. The case is of interest in providing a good example of the difficulties which can arise when litigating title disputes over chattels involving deceased donors. The claim touched on the rules of interpretation for, and the formalities of, *inter vivos* gifts, bailment, limitation, estoppel, and the old rule in *Strong v Bird* (1874) LR 18 Eq. 11.

So below the images show a discussion of the appeal and its aftermath:

The gift vs. loan problem for museums

Posted on **August 14, 2015** by **Alexander Herman**

Having finished the IAL refresher course in Melbourne this week (with the full **Diploma in Law and Collections Management** course starting next Monday), it has become clear yet again the difficulties which museums face when dealing with certain objects in their collections. The difficulties stem from an uncertainty as to whether an object has been given ('gifted' or donated) to the museum or whether it was the subject of a loan. This is often made worse by use of such misnomers as the 'permanent loan' (how can it be a loan when it is permanent?) and the general unwillingness of some benefactors to part with their prized possessions. Collections managers are left with many questions: Does the museum own this object? If not, which descendent of the original owner owns it now? Can we do what we like with it? Can we sell it? Do we need some sort of permission?

While these questions will of course depend on the particular circumstance of each case, it is important to understand the law of gift in order to see whether the museum can indeed claim ownership of an object. A deed of gift would make this ownership clear, but often no such deed exists. Thus the general law of gift (requiring delivery, acceptance and donative intent) will apply. Thankfully two recent cases dealing with cultural property affirm the central point – an arbitral decision involving artworks from the **collection of Lord Beaverbrook** and the English Court of Appeal's decision involving the musical manuscripts of **composer Sir Malcolm Arnold** – that once a gift has been perfected, title passes to the donee and the gift cannot be revoked. What's done is done. This means that regardless of the subsequent acts and intentions of the donor, if the gift has been made (delivery plus acceptance plus donative intent), the museum will have already become the owner. It will therefore be up to the museum to choose how to proceed.

Share      

Posted in **Museums** | Tagged **alex, art, artwork, beaverbrook, benefactor, collection, collections management, day, donee, donor, gift, given, herman, loan, lord beaverbrook, malcolm arnold, manuscripts, museum, music, nodee, royal college of museum, royal college of music**

- **Dispute over title to manuscripts:** Advised the Royal College of Music in connection with the reported case of *Day v Royal College of Music* (Arnold, interpleader claimant) [2013] EWCA Civ 191. The dispute concerned two competing claims to ownership of 103 manuscripts of works written by Sir Malcolm Arnold, the famous composer, which were held in the Royal College of Music's library. It was alleged by two of Sir Malcolm's children that Sir Malcolm had gifted the manuscripts to them during his lifetime. Sir Malcolm's former carer contended that the gift to the children was invalid and that Sir Malcolm had validly gifted the manuscripts to him in his Will. In holding that the gift to the children was valid, the Court of Appeal confirmed the important principle that only the intention of the donor, and not that of the recipient, is relevant when determining the validity of a gift of chattels by delivery.

The key is the original intention by the donor, especially if it is in writing and signed! I am reminded of the broohaha regarding the music scores donated by Bernard Herrmann to UCSB via Martin Silver (a relative). Apparently someone in the family contested Herrmann's own will and intent of the composer, and held up delivery of the music scores by at least 5 -6 years. I still don't know the details of the situation. The author of the Herrmann bio never discussed the issue. I suppose nobody wanted to talk about it. A taboo, forbidden topic! Too many sensitive toes I guess! :)

This is an absolutely fabulous performance of three harpists available on YouTube. It is a must-see and must-hear performance!

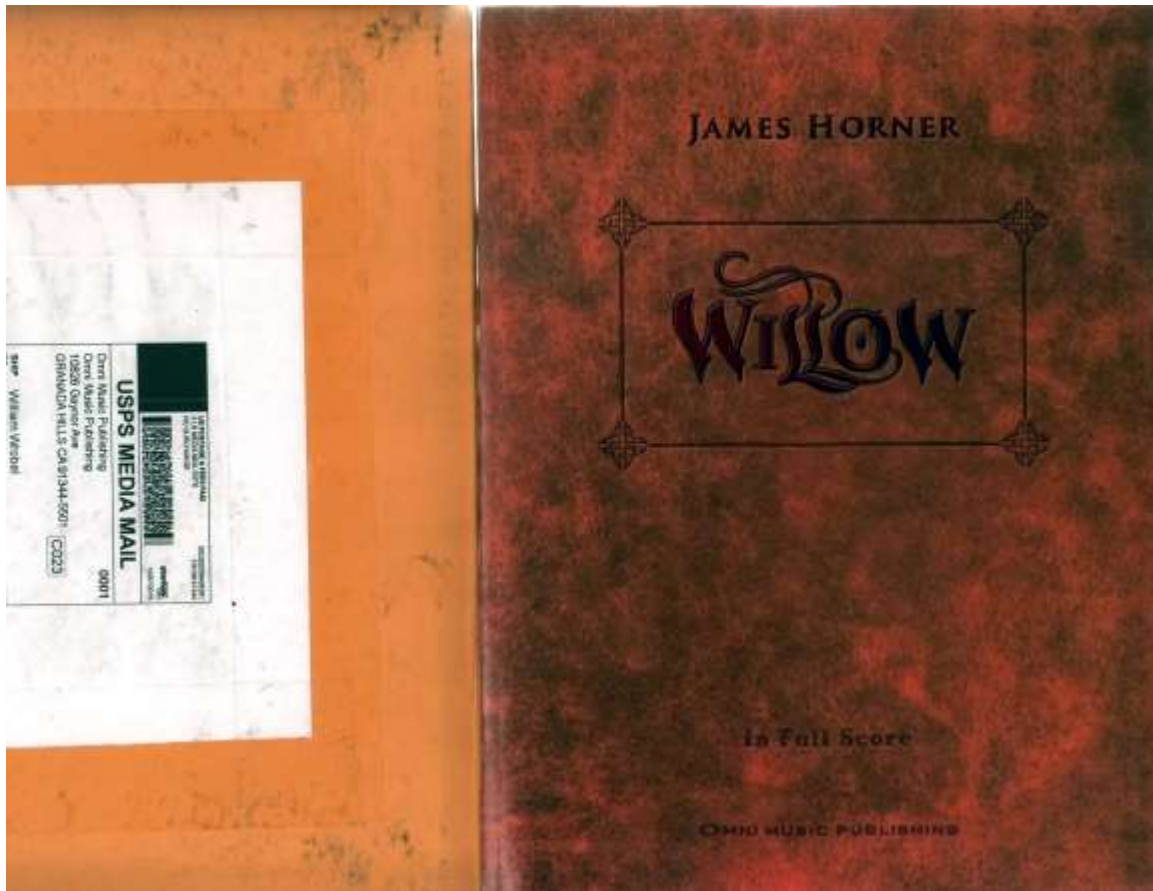
https://www.youtube.com/watch?v=Glc6DS_AxAQ



L. Minkus Solo from the ballet "Paquita" and "Don Quixote"

The WILLOW full score by James Horner was made available for purchase by Omni Music Publishing in early October. I bought it!

<http://www.omnimusicpublishing.com/Willow.html>



Your order summary

Descriptions	Amount
<u>Willow</u>	\$85.00
Item price: \$85.00	
Quantity: 1	
Item total	\$85.00
Tax: (9.000% in California);	\$7.65
Shipping and handling:	\$13.00
Total \$105.65 USD	

HERE'S MY POST ON IT: "I received my copy in Saturday's mail at 10:33 am. Within minutes I put in my Blu-ray dvd of the movie and started to read the cues as the music sequenced. It'll take more than one such run to appreciate the written music. My gripe with the dvd format is that the dialog and sound effects often drown out the music. There appears to be no "music only" special feature in my "Special Edition" copy --so not "special" enough! :) I should be getting a copy of the cd soon in the mail, although it is not a "complete" rendition of the score....What I like about the written full score released by Omni is that there are in most pages descriptive scene tags tied to the movie. For instance, on page 13 (Bar 83, meno mosso) bracketed is "Cut To River." Then on page 15 for Bar 94, "Sending Off Elora."....Almost all of the score is present except for some very minor & short cues....One quibble I have is that the full score is NOT transposed. As written: "Note: All transposing instruments are written at concert pitch." I am not surprised by this because three or four of the Horner full scores I researched (including KRULL) were all in "C" concert. Mystifying why a professional composer and his orchestrators would allow that and it's more & more common now, unfortunately. All or nearly all of the Golden Age full scores were transposed (Herrmann, Steiner, Tiomkin, Newman, etc) as is the proper way of doing it. Yet nowadays orchestrators since the Eighties increasingly tend to rely on the copyists to transpose the music for the Parts, leaving the finished full score in "C." Oh, well. I've talked to some professional orchestrators about this and they think it's a sloppy practice. What do you think?? Perhaps in the case of Omni's WILLOW, it was convenience to let it stay as a concert score rather than spend all the extra time transposing since it already takes a lot of time engraving the music????? Anyway, except for this quibble, I find Omni's WILLOW to be quite impressive, a labor of dedicated love."

So the Omni presentations are good to have. My only quibble again is that even in scores that were transposed, Omni opted to

make them "C" concert written. I hope if they ever do a Herrmann score that they keep it transposed as Herrmann wrote it and wanted it.

Here is the Omni YouTube presentation of Willow:

<https://www.youtube.com/watch?v=8AiWreCmpkA&feature=share>

Figure 1

C F C/E Dmin Emin Dmin C Bb

Figure 2

C Bb C I

p *mf*

Omni Willow Theme

Omni Music Publishing

Subscribe 32

917 views

16 0

Published on Oct 9, 2015

Analysis of major themes of music from the film Willow, music by James Horner

Talking Herrmann: Tadlow's OBSESSION now up for preorder!
Reply by: Bill Wrobel

Oh, well. "You can't please everybody"--as the old saying goes ! :)...Adriano complained that Tadlow's release was a good sound but the balance (etc) was off; whereas various reviewers in the past regarding Adriano's JANE EYRE praised the balance and conducting but thought the sound was not very good in comparison to other recordings. It's very hard to find the best of both worlds. Some recording have done that, such as Stromberg's FAHRENHEIT 451, and (overall--i.e., not a "complete recording)) Broughton's JASON & THE ARGONAUTS. Some recordings are too slow; others conducted too fast. Some recordings are suites; others are complete (that some people complain about is not necessary and uninteresting as a total aesthetic experience). Mr. Scratch says Tadlow should've focused their attention on another score (perhaps a rarer Herrmann item, or a Rozsa score perhaps :), whereas other praise the dynamics not previously heard in the old recording conducted by Herrmann, and appreciate the music even more now thanks to Tadlow.

So I guess the moral is: Enjoy what you have, count your blessings, and don't focus on the Impossible Dream that rarely finds fruition in this earthly world whether music, love, whatever! :)

July 24, 2015:

Talking Herrmann: Dragon's Domain Presents THE AFTERMATH by John Morgan
Reply by: Bill Wrobel

I received in the mail this morning my copy of John's Morgan's cd music of THE AFTERMATH, released by Dragon's Domain Records. Hearing it brings back old but good memories back sometime in the early Eighties when I first heard the score. I even still have the old audio cassette tape of the music given to me by John. My wife & I visited him at his apartment back in that general period in the mid-Eighties, and I perused several of full score cues of the music. Wish I had the foresight to ask for a copy of the written score so that I could do a "rundown" now of the music. But John did give me a copy of at least two cues ("Travels" and "Excitement") of his later EMPIRE OF THE DARK (aka EVIL NIGHT) score. I hope Dragon's Domain Records plans to release that one. I enjoyed that Morgan score too, especially those cues just mentioned. They both utilized the nice choir of three clarinets, bass clarinet, and C.B. clarinet. I did a rundown of at least one cue in one of my online papers long ago:

<http://www.filmscorerundowns.net/other/potpourri.pdf>

Anyway, it's very nice to hear AFTERMATH again but now, finally, on cd. When I opened the package this morning from BSX Records headquarters in Simi Valley, I curiously found I had TWO booklets. The one in the case was standard but the other one was autographed by John Morgan in gray felt or whatever (see image). Nice bonus. I had planned upon awakening to start orchestration work on the "Stormalong" sketch cue by

Herrmann but I simply HAD to listen to the cd first, and take notes. I cannot give a full in-depth review but I would definitely recommend this soundtrack item. The attractive booklet is eight pages folded out like a mini-accordion. The largest segment is by Randall D. Larson titled "John Morgan's Musical Journey Through THE AFTERMATH." I presume this is a brand new history of the movie and its principal creative collaborators, but it is not dated at the end so I cannot tell. There are John Morgan quotes therein (but no separate section in the booklet written directly by Morgan for some reason). Then you can read Bill Stromberg's entry in the booklet titled "Memories of the Aftermath" fondly and enthusiastically recounting how this score so early in his life really affected his course in life in terms of pivotal probable direction.

So, if you like Bernard Herrmann's music (who doesn't on this site! :) and Max Steiner for that matter, then you must treat yourself to Morgan's music for THE AFTERMATH. I would depict Morgan's musical style here as a merging mix between Max Steiner and Bernard Herrmann (more the latter). Strange bedfellows to some people, but not to me! And it works in the music. With a horde of unruly mutants running around in the movie causing OMG sudden events, you need a Max Steiner "mickey mousing" spot approach of the action at any given notice! But if you want an atmospheric musical palette at various scenes, you need the tried & true Herrmann mood approach. Morgan successfully does both. There's even a lovely Herrmannesque "Love Scene" (start of track #15) but fortunately it is not a love scene between two mutants (if that's even possible! :)....

There is a lot of music in this score, just over 71 minutes. In fact, I do believe there is more music in the movie than the movie itself! :) I believe the music had to run over well past the End Credits to encompass ALL of the music composed for the scifi flick.... ;)

So Morgan throws everything in this score in terms of effects and devices and multi-varied instrumentation except the orchestra's sink. It's really impressive. While I would've preferred a professional orchestra, the USC students did a very good job nonetheless. Overall the recording is fine though not up to par of course to today's state-of-the-art digital recording and balance. One problem was the very first track in the Main Title. There was a distinct imbalance from 16 seconds on in that first sequencing of the theme (that somewhat reminds me of the MYSTERIOUS ISLAND Prelude). The horns should've been clearly heard playing the developing theme but instead were over-powered by the piano (etc). But the second sequencing of the theme later with the high strings was balanced and distinctive.

Track # 2 ATTACK is a fine display of action music. I particularly liked from 1:15 on, but all of it is very interesting to hear.

Track # 20 JUSTICE I like the music structure a lot.

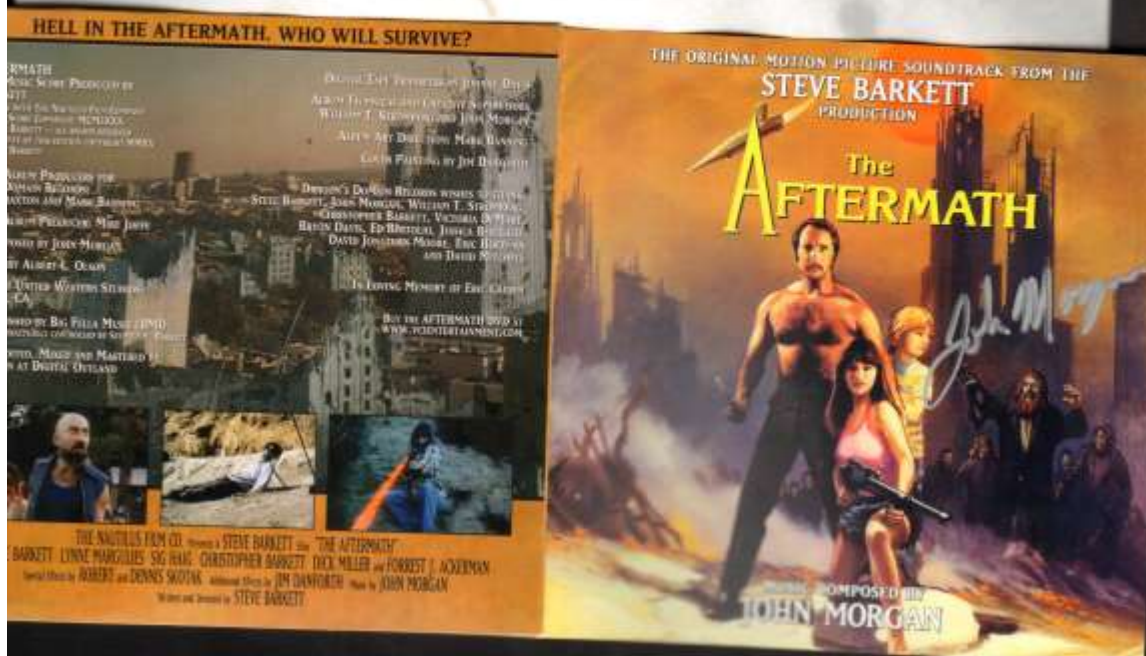
Track # 11 RAPE SCENE starts off reminiscent of Herrmann's "A & J Fight" in JASON & THE ARGONAUTS (previously used in Herrmann's "The Rope" cue from THE KENTUCKIAN).

I have to go out now with the wife but maybe later I'll include more of a review!

talkingherrmann mailing list



DDR602	AFTERMATH, THE - Original Soundtrack from the Steve Barkett Production by John Morgan	1	\$17.95	\$17.95
Tax	Tax	1	\$1.66	\$1.66
Shipping	Shipping	1	\$5.50	\$5.50
Total:				\$25.11



"The Wait"
(Version A)

Music by Bill Wrobel
10-18-2004

Largo
♩ = 50

(S) I
Soprano
E. range

(S) II
Soprano
E. range

(V) Violon
Soprano
E. range

(V) VC
Soprano

(C) CB
Soprano

① ② ③ ④ ⑤ ⑥ ⑦ ⑧

I
II
V
VC
CB

⑨ ⑩ ⑪ ⑫ ⑬ ⑭

Bill Wrobel orchestrated Friday, Oct 9, 2015 2:21 pm 105°F!!

Largo
♩ = 50

"The Wait" (Version B)

Music by Bill Wrobel
10-18-2004

3 Cls
(all)
E. range

Bass Clarinet
(all)

C.B. Clarinet
(all)

3 Fags
(all)

C. Fag
(all)

① ② ③ ④ ⑤ ⑥ ⑦ ⑧

3 Cls
B.C.
C.B.C.
3 Fags
C. Fag

⑨ ⑩ ⑪ ⑫ ⑬ ⑭

orchestrated Friday, Oct 9, 2015 9:06 F Bill Wrobel

"The Wait" (version C)

music by Bill Wood
10-18-2004

Largo $\text{♩} = 50$

Horns (F) $\text{♩} = 50$

Horns $\text{♩} = 50$

3 Tpts $\text{♩} = 50$

3 Pos $\text{♩} = 50$

2 Tubes $\text{♩} = 50$

Time $\text{♩} = 50$

(1) (2) (3) (4) (5) (6) (7) (8) (cont)

Horns $\text{♩} = 50$

Horns $\text{♩} = 50$

Tpts $\text{♩} = 50$

Pos $\text{♩} = 50$

Tubes $\text{♩} = 50$

Time $\text{♩} = 50$

(9) (10) (11) (12) (13) (14)

orchestrated Friday, Oct 9, 2015 7pm 92°F Bill Wood

The two images above are various versions of "The Wait" I orchestrated in October. In a box of index-card music I found this old piece I composed back on October 18, 2004, written 15 months after I was writing THE BIRDS. So I decided to orchestrate it in October. Of course the music is Herrmannesque!

Regarding Bernard Herrmann once again, long ago I wrote a paper on the astrological horoscope of him. This rectified chart of Bernard Herrmann seems pretty accurate to me. Zip Dobyns did the final rectification two years before she died. I progressed it to Herrmann's death and the stress aspects were incredible. He was already in very poor health at that period, but to stress out his body by this long work trip from London to Los Angeles was the last straw. His LA return was a final closure. The death/closure aspects were all over the place in this chart.

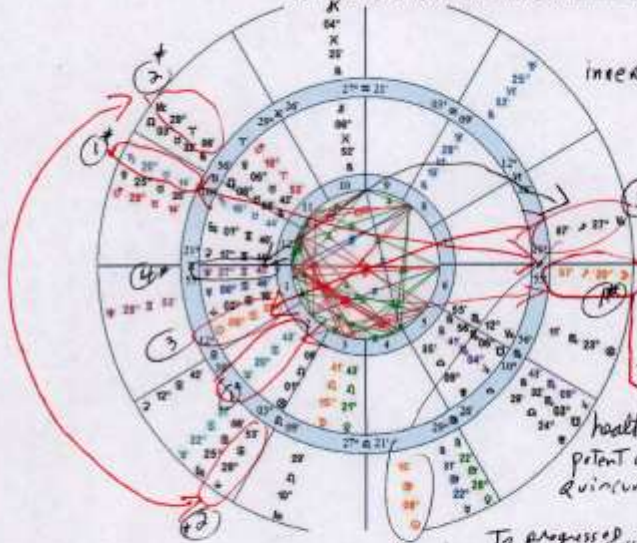
Bernard Hermann (death)

hermann biwheel progressed to death.jpg (1515x960x24b.jpg)

New York, New York
40N42'51" 74W00'23"
Standard Time
Time Zone: 5 hours West
Tropical Placitas
NATAL CHART

inter =

1° strict orb



Outer Ring: Progressed To Death

Bernard Hermann
Calc: September 1, 1911
8:17:16 PM GMT
New York, New York
40N42'51" 74W00'23"
Greenwich Mean Time
Time Zone: 5 hours West
Tropical Placitas
Secondary Progression, Solar Arc MC Method
for December 15, 1975 at 12:00 PM GMT

*1) Progressed Moon in 6th house of health/illness (effort in effort function) in potent combined stress aspect of a Yod (and double quincunx) to Moon is quincunx (150° aspect)

To progressed Saturn in 12th house, and also quincunx to natal Neptune (natal edge of 12th), Water Theme of closing of a chapter, finishing...

*2) —progressed Venus square progressed Midheaven in finishing 29° aspect

*4) progressed Vertex also is in opposition (180° separation aspect) to natal Pluto in 1st —(Key to death, finishing)

*3) progressed Vertex in 7th house (Key to mate) quincunx natal Sun in 1st house —so separation aspect (permanent separation in this case), progressed Sun Square that same Vertex says the same thing.

Zip & [Response to question of death:] There will be major aspects for death, usually quincunxes and oppositions because you're separating and leaving behind something—body included! Many times there will be good aspects at death because it is a release to a higher level, and the person really wants to go on at some level of his or her being. In fact, I don't think I've ever seen a chart of a person's death that didn't involve Jupiter because that's moving on to a long journey to a higher level of life. And Neptune often, but Jupiter pretty systematically will be involved in death—but not necessarily in anybody else's. Any kind of water emphasis can be associated with death because it is one of many ways we close the chapter and let go. It's finished and we move on to the next chapter of the life.

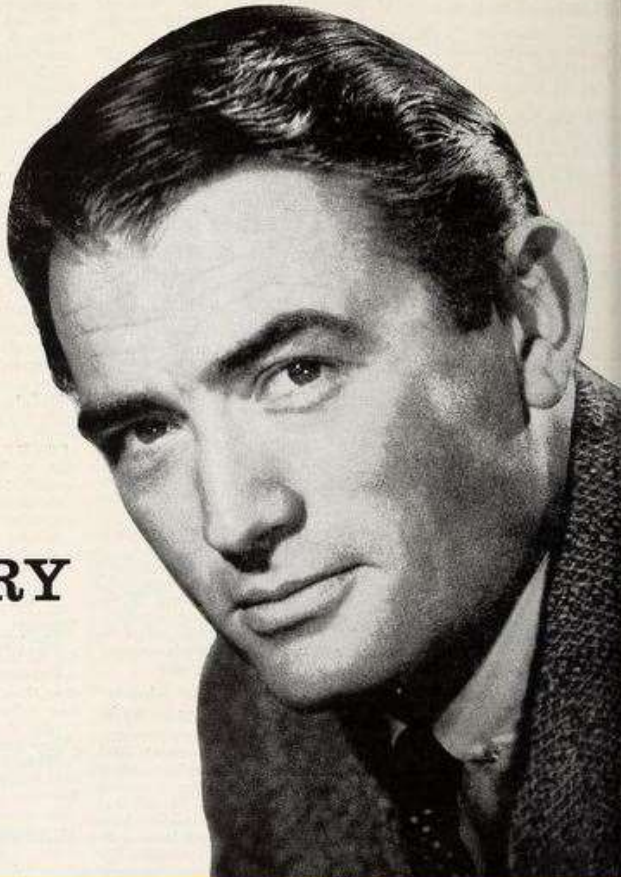
Ah! A well-beloved and famous movie! ;) :

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the
industry's
biggest
talents...*

**GREGORY
PECK**



**THRU
UA**

**SOON TO GO
INTO PRODUCTION**

Based on the original Saturday Evening Post story
**AMBUSH AT
BLANCO CANYON**

Starring Gregory Peck • Directed by William Wyler • Produced by William Wyler
and Gregory Peck • A William Wyler Production • An Anthony Worldwide

And here's another quite famous movie with instant name-recognition and terrific stars! :



And of course here is a memorable scene from the movie itself:

**ALFRED
HITCHCOCK**
IN UNA PRODUZIONE

VISTAVISION

CON
**JAMES
STEWART**
**KIM
NOVAK**

e con
**BARBARA
BEL GEDDES**
TOM HELMORE
HENRY JONES

in
TECHNICOLOR

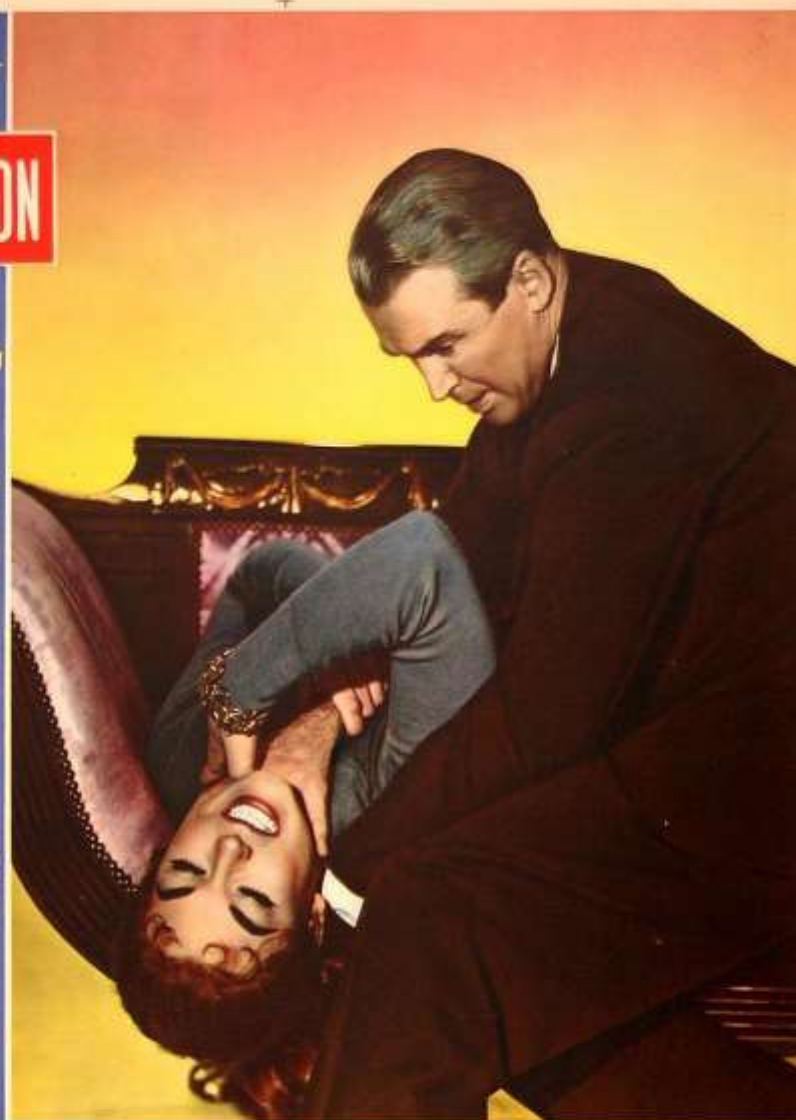
Diritto da
ALFRED HITCHCOCK

Sceneggiatura di
**ALEC COPPEL e
SAMUEL TAYLOR**

Basato sul romanzo "D'ENTRÉE LES DAMES"
di Pierre VILLOUARD e Thomas ARACZINSKI
Edito in Italia da Garzanti
Traduzione di Bernard HERSHMAN



*È un film
Paramount*



LA DONNA CHE VISSE DUE VOLTE

(VERTIGO)

My wife & I saw TRUMBO in late November. Excellent movie due to Bryon Cranston's wonderful performance. The theme was how HUAC (House Un-American Activities Committee) in effect caused great harm due to the cause & effect blacklisting of thousands of Americans, including Hollywood workers (writers like Trumbo). It reminded me how people like Raksin were involved in going along with HUAC, and how even Bernard Herrmann denied knowing his childhood friend Polonsky for fear he (Herrmann) would be implicated knowing a commie! :) I respect Herrmann's works but it doesn't mean I necessarily respect him as a person in regard to such character weakness (but alas all-too-understandable due to the fear instinct) in this instance that we would deny the existence of his friend! :). Even Edward G. Robinson succumbed to fear & weakness. Raksin even ratted. Sad. At least Herrmann didn't have to testify but I wonder what he would've said.... But I am proud of Trumbo's courage, and Bogie and Bacall, Gregory Peck, and many other backbone entertainers.

<http://articles.latimes.com/1997/oct/20/entertainment/ca-44690/2>

Cornered Rats and Personal Betrayals

Fifty years ago today, the House Un-American Activities Committee began a series of hearings into communist influence in the movie industry that led to the Hollywood blacklist. Sunday's Calendar detailed the origins of Hollywood's Red Scare. In today's installment, survivors reminisce about their personal experiences.

October 20, 1997 | PATRICK GOLDSTEIN | SPECIAL TO THE TIMES

One of Polonsky's childhood pals was composer Bernard Herrmann, who'd grown up with him on New York's Lower East Side. "He'd gotten me a job with Orson Welles; he'd educated me in modern music," Polonsky recalls.

"But after I was blacklisted, someone I knew met him working on a picture and said, 'Oh, Abe tells me you two are old friends.' And Bennie looked at him and said, 'I don't know what you mean; I've never met him.'

"It was the saddest thing. He was worried that just knowing me could get him in trouble."

As I was surfing the internet in mid-September, I noticed a relatively new updated website here for this German film production. Maybe it'll be released soon. I'd like to see it (hopefully with subtitles! :) The star is Michael HERRMANN, by the way. The music is also excellent that I heard, often Herrmannesque, by Markus Metzler. Hope it is released soon (subtitled of course for the United States! :)...

<http://streiflicht-produktion.de/>

<https://www.youtube.com/watch?v=DHtWrNAqEds>

<https://www.youtube.com/watch?v=1Y7IQxS63vY>





MICHAEL HERRMANN · DOMINIQUE WOLF · HEIKE ULRICH · SEBASTIAN DÜRR · ANJA KESLER · PIOTR GLEW · CICHEKI · UND TESS WILEY
BUCH THOMAS RÖSSER · NACH EINER IDEE VON MÄRKUS METZLER · UND KERSTIN RÖSSER · REGIE JÄRGIN HILDEBRANDT · UND MARIUSZ VON WILDBURG

King of Schnozzlers (1968-9) music by Bernard Herrmann

"As The Wind Bloweth" (myra, reprise)

Note: music adapted from
"So Close To Me Blues" music in Taxi Driver
1975

Molto Rubato

myra

FEEL A sudden gust, the air closes suddenly, the past has disappeared, and what's to come, and what's to come, and what's to come.

myra

I have I clearly see, the cobwebs with the dust have all been blown away. I'm caught in a whirlwind. Hope it's no longer, tell a part, the roots of yesterday have all been forgotten. way, a lovely spring cleaning look how I'm

myra

The wind As the wind blow-eth So my heart go-eth When he/she Round me March winds surround me Round me flowered (etc.)



While the arrangement is Chris Palmer's (or whomever) and there are some creative liberties and embellishments in jazzifying Herrmann's theme, nevertheless the theme is so overwhelmingly dominant throughout the "So Close to Me Blues" music, it doesn't matter who embellished it in the arrangements and instrumentation. Herrmann already approved having the theme in the *Taxi Driver* score. It was his theme. There is no legitimate "co-composer" contribution--simply a jazzy arrangement.

Slow Blues tempo $\text{♩} = 69$ So Close to Me Blues by C.P. on a theme by B.H.

Alto Sax (F3) *p* $\text{♩} = 69$ (in Concert) *mf freely + expl.*

Trumpet (B3) (in Concert) (1=138) COMPOSED BY BERNARD HERRMANN

Tramline BAR NOS (1) (quiet backing) (2) (3)

Piano *p* brushes *p* (steady beat)

Drum ck *p* (steady beat)

2 Vln *p*

2 Vas *p*

2 Vcl *p*

Bass *p*

Sax *p*

Top (4) (5) (6) (7)

Piano (1)

Drum

Vl

Vn

Vcl

Bs

[End session 11:48 am Sunday, January 10, 2016]

